

54



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/653,598	08/31/2000	Philip D. Chapnik	8397/PMC	4613

20349 7590 06/03/2005

POLAROID CORPORATION
PATENT DEPARTMENT
1265 MAIN STREET
WALTHAM, MA 02451

EXAMINER

JELINEK, BRIAN J

ART UNIT PAPER NUMBER

2615

DATE MAILED: 06/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/653,598

Applicant(s)

CHAPNIK ET AL.

Examiner

Brian Jelinek

Art Unit

2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 2/28/2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2, and 5-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2 and 5-7 is/are allowed.
- 6) ☒ Claim(s) 8-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Response to Amendment

The Examiner respectfully submits a response to the amendment received on 2/28/2005 of application no. 09/653,598 filed on 8/31/2000 in which claims 2, and 5-11 are currently pending.

Priority

The Examiner respectfully retracts his previous statement regarding priority and acknowledges the Applicant's claimed benefit of provisional application no. 60/151,884, filed on September 1, 1999.

Drawings

The Examiner thanks the Applicant for correcting the drawing objections.

Claim Objections

The Examiner thanks the Applicant for correcting claim objections.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2615

Claims 8-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over McIntyre et al. (U.S. Pat. No. 5,894,326) in view of Yamamoto et al. (U.S. Pat. No. 6,396,565).

Regarding claim 8, McIntyre discloses a method for recording an image onto a photosensitive medium comprising the steps of (a) providing a photosensitive medium (Fig. 3, element 224); (b) providing a flat panel display capable of being electronically addressed in response to electronic image-encoding information to provide an image (Fig. 2, element 38); (c) electronically addressing said flat panel display contemporaneously with the illumination thereof by a light source to produce an image (Fig. 9); and (d) selectively directing said image of said flat panel display toward either (a) said photosensitive medium for the recordation therein of said image (Fig. 9); or (b) an image viewer for the viewing thereof (Fig. 2). Furthermore, McIntyre discloses the flat panel display comprises an LCD of conventional design (col. 3, lines 61-62).

McIntyre does not disclose the conventional LCD is a reflective LCD.

However, Yamamoto discloses using a reflective LCD of the twisted and super twisted nematic liquid crystal type (col. 4, lines 29-36; col. 20, line 59-col. 21, line 17) in a photographic printing device (col. 4, lines 29-36). One of ordinary skill in the art would have used a reflective LCD because a reflective LCD is a conventional LCD design. As a result, it would have been obvious to one of ordinary skill in the art at the time of the invention to have configured the LCD display of McIntyre as a reflective LCD because a reflective LCD is a conventional LCD design.

Art Unit: 2615

Regarding claim 9, McIntyre discloses the photosensitive medium is self-developing photosensitive film (col. 5, lines 18-21).

Regarding claim 10, Official Notice is given that that it is well known in the art to configure instant camera film as a flexible substrate onto which is deposited a silver halide emulsion film. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have configured the instant camera film of McIntyre as a flexible substrate onto which is deposited a silver halide emulsion film because such is a well known design of instant camera film.

Regarding claim 11, Yamamoto discloses the reflective flat panel display is a twisted or super twisted nematic liquid crystal display (please see the 103 rejection of claim 8).

Allowable Subject Matter

Claims 5, 2, and 6-7 are allowed.

Regarding claim 5, the reason for allowance is as follows: the prior art does not disclose or fairly suggest an optical system capable of selectively directing the reflection image reflected off a reflective flat panel display toward either (a) a receptacle for the imagewise area exposure of a photosensitive imaging medium held therein, or (b) a reflection image viewer for the viewing thereof by a user of the device.

Regarding claims 2, and 6-7, the reason for allowance is as follows: the claims depend from an allowable independent claim.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Jelinek whose telephone number is (571) 272-7366 thereafter. The examiner can normally be reached on M-F 8:00 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Groody can be reached at (571) 272-7950. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

Art Unit: 2615

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Brian Jelinek
5/27/2005


James J. Groody
Supervisory Patent Examiner
Art Unit-262 2615